

ORDINANCE NO. 2015-07

Repeal and recreate Environmental Sanitation Ordinance

Executive Summary

Jefferson County Health Department and Watertown Department of Public Health formed an Environmental Health Consortium to meet the environmental health needs of Jefferson County and the City of Watertown. The coordinated program optimized the limited financial resources of the health departments.

The Jefferson County/Watertown Environmental Public Health Consortium became an agent of Department of Health Services in 2002 and an agent of Department of Agriculture, Trade and Consumer Protection in 2009 to conduct food and recreational inspections and licensing locally. This program expansion was done as a response to the community need to assure the safety of the public. Businesses were unable to make contact with State inspection staff with questions and problems. The local health departments were spending a considerable amount of time responding to local businesses.

The City of Watertown, Watertown Department of Public Health, has been the fiscal agent of the program since the beginning. The Health Officers provide supervision and manage the program in their respective jurisdictions.

Requested Ordinance Updates:

- Charge for the 1st and all subsequent re-inspections [8(d) Fees]
- Raising pool inspection fees to bring the fee in line with the cost of inspections
- Raise all other fees by 2%; fees have not been increased since 2010
- Remove the fee schedule from the ordinance

These changes are being coordinated by the City of Watertown Department of Public Health to keep the policies consistent in the Jefferson County/Watertown Environmental Health Consortium.

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES
HEREBY ORDAIN AS FOLLOWS:

Section 1. The Environmental Sanitation Ordinance is hereby repealed and recreated as follows:

A. GENERAL PROVISIONS.

- (1) ADMINISTRATION. This ordinance shall be administered by the County Health Department and shall be in effect in all parts of the County except the City of Watertown.
- (2) ENFORCEMENT.
 - (a) The Health Officer or the Health Officer's duly authorized representative shall enforce the regulations of this chapter and may issue orders to effect correction of violations and may issue citations pursuant to Ordinance No. 84-10. All enforcement actions shall minimally be analogous to Wisconsin Statutes Sections 254.85, 254.86, 254.87 and 254.88.
 - (b) The Corporation Counsel may in his discretion, commence legal action and may proceed pursuant to the provisions outlined in Wisconsin Statutes Section 66.0119 and Section 66.0114, or pursuant to the issuance of a summons and complaint. [am. 12/09/08, Ord. 2008-29]
 - (c) The County of Jefferson is an agent for the Department of Health ~~and Family Services~~ under the provisions as set forth in Wisconsin Statutes Chapter 254, Subchapter VII, 254.69 and 254.47 with the powers as described in Wisconsin Statutes 254.74.
 - (d) The County of Jefferson adopts by reference the following Chapters of the Wisconsin Administrative Codes: DHS 192, DHS 195, DHS 196, DHS 197, DHS 198, COMM 90, DHS 172, DHS, 173, DHS 175, and DHS 178 and DATCP 75 and DATCP 97 and all other state and federally referenced rules and Memorandums of Understanding. [am. 12/09/08, Ord. 2008-29; 10/12/10, Ord. 2010-16]
 - (e) The County of Jefferson recognizes and adopts the same exemptions for inspections and licensure as contained in the aforementioned state statutes, administrative codes and the State of Wisconsin Department of Health Services (DHS) and Department of Agriculture, Trade & and Consumer Protection (DATCP) policies. [am. 12/09/08, Ord. 2008-29]
 - (f) The County of Jefferson is an agent for Department of Agriculture, Trade and Consumer Protection, under the provisions as set forth in Wisconsin State Statute Chapter 97.41. [cr. 12/09/08, Ord. 2008-29]
- (3) SEVERABILITY. Each section, paragraph, sentence, clause, word and provision of this ordinance is severable, and if any provisions shall be held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the ordinance nor any part thereof other than that affected by such a decision.
- (4) DEFINITIONS.
 - (a) "Department" means the Jefferson County Health Department.
 - (b) "Health Officer" means the Health Department Director or his/her authorized agent.
 - (c) "Person" means an individual, partnership, association, firm, company, corporation, organization, municipality, county, town, or state agency, whether tenant, owner, lessee or licensee, or the agent, heir, or assignee of any of these.

- (d) "License" means the granting of permission in a written/certificate form from the appropriate authority to carry on an activity. In this chapter, it is synonymous with *permit*.

(5) LICENSE APPLICATION.

License application shall be made to the Health Department on forms approved by DHS or DATCP, and supplied by the ~~department~~ Department, accompanied by the appropriate license fee and pre-inspection fee. Licenses hereunder shall not be granted or issued by the Department unless and until the Health Officer/Director, or designee, determines and certifies compliance, of the premises to be licensed, with all the applicable terms and conditions of all Wisconsin Administrative Codes under contract. [am. 12/09/08, Ord. 2008-29]

Applications for licenses required in this chapter shall be made in writing to the Health Department on forms provided by the Health Department and shall contain, but not be limited to, the following information:

- (a) The name, home address and date of birth of the entity requesting the privilege of operating the said business/conducting the activity.
- (b) The trade name and address of the establishment.
- (c) Whether the applicant is a person, corporation, or partnership.
 - 1. If the applicant is a corporation, the application shall contain the registered agent's name, home address and date of birth.
 - 2. If the applicant is a partnership, the applicant shall include the names, home addresses and date of births of the partners.
 - 3. The mailing address of the legal licensee.
- (d) The signature of all applicants and their agents to confirm that all information on the application is correct and to acknowledge that any change in the information on the application shall be reported to the Health Officer within 14 days of the change.

(6) LICENSE ISSUANCE.

The Health Officer shall issue a license to the applicant only after compliance with the requirements of this chapter and upon payment to the ~~health department~~ Health Department of all required fees. The ~~department's~~ Department's decision to grant or withhold a license shall not exceed 30 calendar days. The decision to withhold shall accompany written inspection or documentation of justification or cause.

- (a) No license may be issued until all applicable fees have been paid.

(7) LICENSE PERIOD.

The license period for licenses issued per the DHS and DATCP contract shall be from July 1 through the following June 30th. Those licenses initially issued during the period beginning on April 1 and ending on June 30 expire on June 30 of the following year, except temporary and mobile food licenses. Licenses are not transferable between persons, entities, or any combination thereof (see DHS Change Assessment Worksheet). [am. 12/09/08, Ord. 2008-29; 10/12/10, Ord. 2010-16]

(8)

FEES.

In addition to the license fees, the licensee shall pay any applicable DHS or DATCP administrative fee, the amount of which is on file with the department, as well as, the fee schedule. See current fee schedule for fees pursuant to this section.

- (a) **NON-PRORATION OF FEES.** Permit fees and other applicable fees are not prorated for the fiscal year and must be paid in full at any time.
- (b) **PRE-INSPECTIONS AND THEIR ASSOCIATED FEES.** ~~Preinspections~~ Pre-inspections are required to be conducted for establishments within the scope of Wisconsin Statutes 254 Subchapter VII and DATCP 74. [am. 12/09/08, Ord. 2008-29]
- (c) **LATE FEES.** Assessed to all Wisconsin Statutes 254.69 establishment licensees for payment after July 1.
- (d) **RE-INSPECTION FEES.** In the event that the County Health Department observes violations during the course of its inspections, ~~and in the event that the violation is not corrected upon the Department's first re-inspection to confirm compliance,~~ the Department shall charge the party in violation a fee as set forth ~~below~~ for each ~~second or subsequent~~ re-inspection necessary to confirm that the original violations ~~has~~ have been remedied. [Amended 07/13/04, Ordinance No. 2004-14; am. 12/09/08, Ord. 2008-29]
- (e) **NO CERTIFIED OPERATOR FEE.** If facility owners do not obtain certificate issued by State of Wisconsin within 90 days, facility owners will be assessed a \$150.00 fee. [cr. 12/09/08, Ord. 2008-29]

(9)

DISPLAY OF LICENSE.

All licensees shall post their license in plain public view on the premise for which the permit is issued. It shall be posted for the duration that the permit is in force.

(10)

INSPECTION BY HEALTH DEPARTMENT.

Authorized employees of the Health Department, upon presenting proper identification, shall have the authority and duty to enter any licensed premises during regular business hours to inspect the same, with respect to a business open at least forty (40) hours per week. In the absence of regular business hours, inspections shall be made at any reasonable hour. In the event of an emergency, an inspection may be made at any time.

(11)

DENIAL, SUSPENSION OR REVOCATION OF LICENSE.

The Health Officer, or designee, may deny any license application or suspend or revoke any license issued under this chapter for non-compliance with this code or any other state or county law. The following procedure shall be followed in the denial, suspension or revocation of any license issued under this chapter:

- (a) A decision by the Health Officer to deny, suspend or revoke a license shall be in writing and shall state, with specificity, the reasons for the Health Officer's decision and shall state any and all applicable statutes, ordinances, rules, regulation or orders which may have been violated. The Health Officer shall send to the licensee copy of the written decision by mail or by personal service. Said notice shall inform the licensee or

applicant of the right to have this decision reviewed and the procedure for such review.

- (b) A licensee or applicant aggrieved by a decision of the Health Officer to deny, suspend or revoke a license must send a written Request and Reconsideration to the Health Officer within 10 working days of receipt of the notice of the Health Officer's decision. The Request for Review and Reconsideration shall state the grounds upon which the person aggrieved contends that the decision should be reversed or modified.
- (c) Within 10 working days of receipt of the Request for Review and Reconsideration, the Health Officer shall review its initial determination. The Health Officer may affirm, reverse or modify the initial determination. The Health Officer shall mail or deliver to the licensee or applicant a copy of the Officer's decision on review, and shall state the reasons for such decision. The decision shall advise the licensee or applicant of the right to appeal the decision, the time within which appeal shall be taken and the office or person with whom Notice of Appeal shall be filed.
- (d) A licensee or applicant who wishes to appeal a decision made by the Health Officer on review must file a notice of appeal within 10 days of receipt of the Health Officer's Decision on review. The Notice of Appeal shall be filed or mailed to the Health Officer. The Health Officer shall immediately file said Notice with the Jefferson County Board of Health.
- (e) A licensee or applicant shall be provided a hearing on appeal within 30 days of receipt of the Notice of Appeal. The Health Officer shall serve the licensee or applicant with notice of hearing by mail or personal service at least 5 days before the hearing.
- (f) The hearing shall be conducted before the Jefferson County Board of Health and shall be conducted in accordance with the procedures outlined in Section ss. Chapter 68.11 (2) and (3).
- (g) Within 15 days of the hearing, the Jefferson County Board of Health shall mail or deliver to the applicant its written determination stating the reasons therefor.
- (h) **OPERATING WITHOUT A LICENSE.** Any person who shall operate without a license as required above shall be subject to a forfeiture in the amount of \$500.00. Ongoing violations of operating without a license may be subject to forfeitures in the amount of \$500.00 for each day in which the person continues to operate without a license. [am. 12/09/08, Ord. 2008-29]
- (i) **VOIDED PERMIT FOR FAILURE TO PAY FEES.** If an applicant or owner fails to pay all applicable fees, late fees and processing charges within 15 days after the applicant or owner receives notice of an insufficiency or within 45 days after the expiration of the permit, whichever occurs first, the permit is void. An owner whose permit is voided under this subsection may appeal the decision. [cr. 12/09/08, Ord. 2008-29]

(12) TEMPORARY ORDERS.

Whenever, as a result of an inspection conducted pursuant to this chapter, the Health Officer or his/her designated agent has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates an immediate danger to health of the Public, the Health Officer may proceed as stated in Section 66.0417, or 254.85 of the Wisconsin Statutes to issue a temporary order to prohibit the sale or movement of food for any purpose, prohibit the continued operation or method of operation of equipment, require the premises to cease any other operation or method of operation which creates an immediate danger to public health. Section 66.0417 of the Wisconsin Statutes is incorporated herein by reference and made a part of this ordinance as if fully set forth herein.

Temporary pool closures pursuant to DHS 172.30 due to chlorine/bromine and/or pH levels that are outside of prescribed water quality standards shall be in effect for the shorter of 24 hours or that time period necessary to complete three (3) turnovers of the pool water to be measured from the time of closure, in order to allow added chemicals to equalize in the pool. [am. 10/12/10, Ord. 2010-16]

(13) CONSTRUCTION OR ALTERATION OF LICENSABLE FOOD SERVICE ESTABLISHMENTS.

- (a) Except as provided in (b), no person shall erect, construct, enlarge or alter a food establishment without first submitting to the Health Officer plans (drawings) which clearly show and describe the amount and character of the work proposed and without first receiving Health Department approval of submitted plans. Such plans shall include expected menu, floor plan, equipment plan and specifications, plumbing layout, wall, floor and ceiling finishes and plans and specifications for food service kitchen ventilation. Submitted plans shall give all information necessary to show compliance with applicable health codes. Submitted plans shall be retained by the ~~health department~~ Health Department. Plan submittal to the Health Officer is in addition to any plan submittal requirement of the County Zoning Department, or required building inspection. [am. 10/12/10, Ord. 2010-16]
- (b) At the option of the Health Officer, plans need not be submitted to execute minor alterations. Minor alterations include, but are not limited to, the replacement of existing equipment, the replacement of existing floor, wall or ceiling coverings or other cosmetic or decorating activity.
- (c) Any plans approved by the Health Department shall not be changed or modified unless the Health Officer has reviewed and approved the modifications or changes. Final approved plans will be kept in perpetuity as part of the legal file for the establishment.
- (d) A ~~preinspection~~ pre-inspection fee shall be charged for any remodeling projects that exceed the definition of "minor alterations" set forth in subsection (b), examples of which shall include, but shall not be limited to, circumstances in which the entire facility is closed for remodeling,

circumstances in which a section of the facility is closed for significant remodeling, and circumstances in which new additions are added to the facility even though the original facility remains open for business. [cr. 10/12/10, Ord. 2010-16]

(14) "CLASS B" OR "CLASS C" PREMISES.

No applicant may operate under a "Class B" license or permit or a "Class C" license or permit under s.s. Chapter 125.68(5) Wisconsin Statutes, unless the premise complies with the rules promulgated by the Department of Health and Family Services governing sanitation in restaurants.

B. RESTAURANTS/MEAL FOOD SERVICE.

(1) REQUIREMENTS.

(a) Except as provided in (b), no person, party, firm or corporation shall operate a Restaurant, Temporary Restaurant or Mobile Restaurant, as defined in Wisconsin Administrative Code DHS 196, without first obtaining a license therefore from the Jefferson County Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or Wisconsin Administrative Code DHS 196, which is incorporated herein by reference and made part of this ordinance as if fully set forth herein. [am. 12/09/08, Ord. 2008-29; 10/12/10, Ord. 2010-16]

(b) No license is required for the following:

1. Churches, religious, fraternal, youth or patriotic organizations such as VFW, American Legion, or other like organizations, service clubs or civic organizations which occasionally prepare, serve, or sell meals to the general public. The term occasional means ~~fewer than 4 days~~ not more than 3 days during any 12-month period.
2. Taverns that serve free lunches of popcorn, cheese, crackers, pretzels, cold sausage, cured fish or bread and butter.
3. Any public or private school lunchroom for which food service is directly provided by the school. The department shall charge a fee for inspection services to school lunchrooms required to be inspected under federal or state law. [Amended 01/09/07, Ordinance 2006-26; am. 12/09/08, Ord. 2008-29]
4. A private individual selling food from a moveable or temporary stand at a public farm sale.
5. A concession stand at a locally sponsored sporting event, such as a little league game.

(2) FEES.

~~In addition to the following fees, the licensee shall pay any applicable DHS or DATCP administrative fee, the amount of which is on file with the department. [am. 12/09/08, Ord. 2008-29]~~

~~Fees pursuant to this section (not including the state administrative fee above) shall be as follows:~~

- (a) ~~Limited Food Service Restaurant: A restaurant that serves only individually wrapped, hermetically sealed single servings supplied by a licensed processor.~~

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| | 1. | License Fee | \$ 105.00 |
| | 2. | Pre-licensing Fee | \$ 175.00 |
| | 3. | Re-inspection Fee | \$ 130.00 |
| (b) | Simple Complexity Restaurant: As defined at DHS 196.04. | | |
| | 1. | License Fee | \$ 230.00 |
| | 2. | Pre-licensing Fee | \$ 430.00 |
| | 3. | Re-inspection Fee | \$ 320.00 |
| (c) | Moderate Complexity Restaurant: As defined at DHS 196.04. | | |
| | 1. | License Fee | \$ 330.00 |
| | 2. | Pre-licensing Fee | \$ 705.00 |
| | 3. | Re-inspection Fee | \$ 470.00 |
| (d) | High Complexity Restaurant: As defined at DHS 196.04. | | |
| | 1. | License Fee | \$ 540.00 |
| | 2. | Pre-licensing Fee | \$ 1,020.00 |
| | 3. | Re-inspection Fee | \$ 770.00 |
| (e)(c) | Temporary Restaurants: A restaurant that operates at a fixed location in conjunction with a single event such as a fair, carnival, circus, public exhibition, anniversary sale <u>for a period of no more than 14 consecutive days or in conjunction with an occasional sales promotion.</u> Occasional means fewer than 4 days <u>not more than 3 days</u> during any 12-month period. Licenses are issued at the site of the event. A temporary restaurant may be moved from location to location within the county, but may not operate from the new location until it has been inspected and found to be in compliance. A temporary restaurant license may not be used to operate more than one restaurant at a time. | | |
| | 1. | License Fee | \$ 170.00 |

[1.B.(2)(a) through (e) were amended and/or created 12/09/08, Ord. 2008-29; am. 10/12/10, Ord. 2010-16]

(3) ADMINISTRATION AND ENFORCEMENT.

In addition to the statutory and administrative code references and powers as indicated in Section A, the Health Officer/designee may issue temporary orders when the ~~department~~ Department has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates an immediate danger to public health or safety.

C. BED AND BREAKFAST ESTABLISHMENTS.

- (1) REQUIREMENT. No person, party, firm, or corporation shall operate a Bed and Breakfast Establishment as defined in Wisconsin Administrative Code DHS 197 for more than 10 nights in a year, without first obtaining an annual license from the Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DHS 197 of the Wisconsin Administrative Code, which is incorporated herein by reference and made a part of this ordinance as if fully set forth herein. [Amended 03/11/03, Ordinance No. 2002-32; am. 12/09/08, Ord. No. 2008-29]
- (2) ZONING AND CONSTRUCTION STANDARDS. Prior to Health Department approvals, the applicant must submit written verification from the Jefferson

County Zoning Department of approval of this commercial business in the building and property considered for licensure as a bed and breakfast establishment. In addition, the applicant must provide the Health Department with written verifications that this property meets all applicable local and state fire and building codes from inspections of state and local building inspectors. [am. 10/12/10, Ord. 2010-16]

(3) ~~Fees for licenses issued pursuant to this section shall be as follows:~~

(a) ~~Bed and Breakfast License~~

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|----|-------------------|----------------------|
| 1. | License Fee | \$ 110.00 |
| 2. | Pre-licensing Fee | \$ 300.00 |
| 3. | Re-inspection Fee | \$ 170.00 |

~~[Am. 12/09/08, Ordinance No. 2008-29; 10/12/10, Ord. 2010-16]~~

(4) ~~In addition to the above fees, the licensee shall pay any applicable DHS administrative fee, the amount of which is on file with the Health Department. [Amended 12/09/08, Ordinance No. 2008-29]~~

D. HOTELS, MOTELS AND TOURIST ROOMING HOUSES.

(1) REQUIREMENT. No person, party, firm, or corporation shall operate a Hotel, Motel or Tourist Rooming House, as defined in Wisconsin Administrative Code DHS 195, without first obtaining an annual license therefore from the Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DHS 195 of the Wisconsin Administrative Code, and Chapter 254, Subchapter VII provisions which are incorporated herein by reference and made a part of this ordinance as if fully set forth herein. [Amended 12/09/08, Ordinance No. 2008-29]

(2) ~~FEES. The fees for the licenses issued pursuant to this section shall be as follows:~~
~~Hotel/Motel~~

(a) ~~05-30 Sleeping Rooms~~

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| 1. | License Fee | \$ 205.00 |
| 2. | Pre-licensing Fee | \$ 480.00 |
| 3. | Re-inspection Fee | \$ 290.00 |

(b) ~~31-99 Sleeping Rooms~~

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| 1. | License Fee | \$ 280.00 |
| 2. | Pre-licensing Fee | \$ 665.00 |
| 3. | Re-inspection Fee | \$ 400.00 |

(c) ~~100-199 Sleeping Rooms [Amended 03/11/03, Ordinance No. 2002-32]~~

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|----|-------------------|----------------------|
| 1. | License Fee | \$ 355.00 |
| 2. | Pre-licensing Fee | \$ 795.00 |
| 3. | Re-inspection Fee | \$ 505.00 |

(d) ~~200 or more Sleeping Rooms~~

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| 1. | License Fee | \$ 490.00 |
| 2. | Pre-licensing Fee | \$ 1,185.00 |
| [Created 03/11/03, Ordinance No. 2002-32] | | |
| 3. | Re-inspection Fee | \$ 700.00 |

(e) ~~Tourist Rooming House (1-4 rooms) [Amended 03/11/03, Ordinance No. 2002-32]~~

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| 1. | License Fee | \$ 110.00 |
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| 2. | Pre-licensing Fee | \$ 300.00 |
| 3. | Re-inspection Fee | \$ 170.00 |

[10/12/10, Ord. 2010-16]

E. CAMPGROUNDS, RECREATIONAL AND EDUCATION CAMPS.

(1) REQUIREMENTS.

No person, party, firm or corporation shall operate a campground, recreational camp or educational camp, as defined in Wisconsin Administrative Code DHS 175 or 178, without first obtaining an annual license therefore from the Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DHS 175 or 178 of the Wisconsin Administrative Code, and Chapter 254, Subchapter VII provisions which are incorporated herein by reference and made a part of this ordinance as fully set forth herein. [Amended 12/09/08, Ordinance No. 2008-29]

(2) FEES.

The fees for the licenses issued pursuant to this section shall be as follows:

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| (a) | Campgrounds (1-25 sites) | |
| 1. | License Fee | \$ 175.00 |
| 2. | Pre-licensing Fee | \$ 380.00 |
| 3. | Re-inspection Fee | \$ 240.00 |
| (b) | Campground (26-50 sites) | |
| 1. | License Fee | \$ 250.00 |
| 2. | Pre-licensing Fee | \$ 565.00 |
| 3. | Re-inspection Fee | \$ 350.00 |
| (c) | Campground (51-100 sites) | |
| 1. | License Fee | \$ 305.00 |
| 2. | Pre-licensing Fee | \$ 700.00 |
| 3. | Re-inspection Fee | \$ 425.00 |
| (d) | Campground (100-199 sites) [Amended 03/11/03, Ordinance No. 2002-32] | |
| 1. | License Fee | \$ 355.00 |
| 2. | Pre-licensing Fee | \$ 830.00 |
| 3. | Re-inspection Fee | \$ 500.00 |
| (e) | Campground (200 or more sites) | |
| 1. | License Fee | \$ 410.00 |
| 2. | Pre-licensing Fee | \$ 965.00 |
| | [Created 03/11/03, Ordinance No. 2002-32] | |
| 3. | Re-inspection Fee | \$ 580.00 |
| (f) | Recreational/Educational Camps | |
| 1. | License Fee | \$ 505.00 |
| 2. | Pre-licensing Fee | \$ 1,200.00 |
| | [Amended 03/11/03, Ordinance No. 2002-32] | |
| 3. | Re-inspection Fee | \$ 720.00 |

F. PUBLIC SWIMMING POOL.

(1) REQUIREMENTS.

No person, party, firm or corporation shall operate a public swimming pool, as defined in Wisconsin Administrative Code DHS 172 or Comm. 90, without first

obtaining an annual license therefore from the Health Department nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DHS 172 or Comm. 90 of the Wisconsin Administrative Code, and Chapter 254, Subchapter VII provisions which are incorporated herein by reference and made a part of this ordinance as fully set forth herein. [Amended 12/09/08, Ordinance No. 2008-29]

(2) ~~FEES.~~

~~The fees for the licenses issued pursuant to this Section shall be as follows:~~

(a) ~~Public Swimming Pools~~

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|----|-------------------|----------------------|
| 1. | License Fee | \$ 150.00 |
| 2. | Pre-licensing Fee | \$ 150.00 |
| 3. | Re-inspection Fee | \$ 75.00 |

[Amended and/or created 12/09/08, Ordinance No. 2008-29]

(b) ~~Swimming Pools with Water Attraction~~

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|----|-------------------|----------------------|
| 1. | License Fee | \$ 175.00 |
| 2. | Re-licensing Fee | \$ 175.00 |
| 3. | Re-inspection Fee | \$ 75.00 |

(c) ~~Swimming Pools with Water Attraction with Up to 2 slides~~

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|----|-------------------|----------------------|
| 1. | License Fee | \$ 250.00 |
| 2. | Pre-licensing Fee | \$ 250.00 |
| 3. | Re-inspection Fee | \$ 125.00 |

(d) ~~Swimming Pools with Additional Pool Slides~~

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|----|-------------------|---------------------|
| 1. | License Fee | \$ 50.00 |
| 2. | Pre-licensing Fee | \$ 50.00 |
| 3. | Re-inspection Fee | \$ 75.00 |

(e) ~~Swimming Pools with Additional Waterslides~~

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| 1. | License Fee | \$ 150.00 |
| 2. | Pre-licensing Fee | \$ 150.00 |
| 3. | Re-inspection Fee | \$ 75.00 |

G. SCHOOL INSPECTIONS. [Created 01/09/07, Ordinance 2006-26]

- (1) REQUIREMENTS. All schools participating in the National School Lunch (NSLP) or school Breakfast Programs (SBP) shall, at least twice during each school year, obtain a food safety inspection conducted by a state or local governmental agency responsible for food safety inspections.

(2) ~~Fees. The fees for the inspection conducted pursuant to this section shall be as follows:~~

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|-----|----------------------------------|--|
| (a) | Full Service Kitchen | \$ 440.00 |
| (b) | Full Service Pre-Inspection Fee | \$ 440.00 (before opening) |
| (c) | Satellite Kitchen | \$ 150.00 |
| (d) | Satellite Kitchen Pre-Inspection | \$ 150.00 ((before opening) |

[Created 01/09/07, Ordinance 2006-26; amended 12/09/08, Ord. No. 2008-29; am. 10/12/10, Ord. 2010-16]

H. RETAIL FOOD ESTABLISHMENTS. [created 12/09/08, Ord. 2008-29]

- (1) REQUIREMENTS. No person, party, firm or corporation shall operate a Retail Food Establishment, as defined in WI Admin. Code DATCP 75 and Section 97.30 of the Wisconsin Statutes, without first obtaining an annual license therefore from

the County of Jefferson Health Department; nor shall any person, party, firm or corporation operate contrary to the terms and conditions of this ordinance or DATCP 75 or Section 97.30 of the Wisconsin Statutes, which are incorporated herein by reference and made a part of this ordinance as if fully set forth herein.

(2) ~~FEES.~~

(a) ~~Food sales of at least \$1,000,000.00 and retail food establishment processes potentially hazardous food.~~

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|----|-------------------|------------------------|
| 1. | Fee | \$ 959.00 |
| 2. | Pre licensing Fee | \$ 1,000.00 |
| 3. | Re inspection Fee | \$ 450.00 |

(b) ~~Food sales of at least \$25,000.00, but less than \$1,000,000.00 and retail food establishment processes potentially hazardous food.~~

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|----|-------------------|----------------------|
| 1. | License Fee | \$ 371.00 |
| 2. | Pre licensing Fee | \$ 400.00 |
| 3. | Re inspection Fee | \$ 190.00 |

(c) ~~Food sales of at least \$25,000.00 and retail food establishment is engaged in food processing, but does not process potentially hazardous food.~~

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|----|-------------------|----------------------|
| 1. | License Fee | \$ 266.00 |
| 2. | Pre licensing Fee | \$ 300.00 |
| 3. | Re inspection Fee | \$ 190.00 |

(d) ~~Food sales of less than \$25,000.00 and retail food establishment is engaged in food processing, but does not process potentially hazardous food.~~

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|----|-------------------|---------------------|
| 1. | License Fee | \$ 84.00 |
| 2. | Pre licensing Fee | \$ 90.00 |
| 3. | Re inspection Fee | \$ 90.00 |

(e) ~~Retail food establishment does not engage in food processing.~~

- | | | |
|----|-------------------|---------------------|
| 1. | License Fee | \$ 45.00 |
| 2. | Re inspection Fee | \$ 90.00 |

(f) ~~Inspection fee for mobile retail food stands is \$40.00.~~

[10/12/10, Ord. 2010-16]

I. TATTOO AND BODY-PIERCING LICENSES.

(1) Adoption of Code. The tattooing and body-piercing code as promulgated by the Wisconsin Department of Health Services and codified in the Wisconsin Administrative Code, Chapter DHS 173 is adopted by reference and made a part of this Code as far as it is applicable. A violation of Chapter DHS 173 shall be a violation of this Code.

(2) Local License Required. No person, firm or entity shall engage in or work at tattooing or body-piercing, as defined as Chapter DHS 173, without being licensed as required in this Chapter or Chapter DHS 173.

(3) ~~Fee Schedule. The operator of a tattoo establishment or body piercing establishment or a combined tattoo and body piercing establishment shall pay an annual license fee to the County of Jefferson as follows:~~

(a) ~~For a tattoo or body piercing establishment~~

- | | | |
|----|-------------------|----------------------|
| 1. | License Fee | \$ 135.00 |
| 2. | Pre licensing Fee | \$ 255.00 |

3. ~~Re-inspection Fee~~ \$ ~~180.00~~
(b) ~~For a combined tattoo and body piercing establishment~~
1. ~~License Fee~~ \$ ~~220.00~~
2. ~~Pre-licensing Fee~~ \$ ~~400.00~~
3. ~~Re-inspection Fee~~ \$ ~~295.00~~
(e) ~~Temporary Tattoo/Piercing Fee~~ \$ ~~100.00~~

[cr. 12/09/08, Ordinance No. 2008-29; repealed, created, renumbered and amended 10/12/10, Ord. 2010-16]

J. PENALTIES.

Any person or business entity authorized by Wisconsin law that fails to comply with the provisions of this ordinance shall upon conviction thereof forfeit not less than \$25 nor more than \$500, together with costs and statutory assessments. Each day a violation exists shall constitute a separate violation. Such forfeiture action may be in addition to any other remedy lawfully available to the County such as an injunction against operating contrary to this ordinance. [Renumbered 12/09/08, Ordinance No. 2008-29]

Section 2. This ordinance shall be effective after passage and publication as provided by law.

Adopted by the Jefferson County Board of Supervisors this 9th day of June 2015.

s/Jim Schroeder

Jim Schroeder

Chair

ATTEST:

s/Barbara A. Frank

Barbara A. Frank, County Clerk

Published this 12th day of June 2015.

Ayes: **VOICE VOTE** Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Board of Health

06-09-15

Gail Scott: 05-07-15

APPROVED: Administrator: BW; Corp. Counsel: JBW; Finance Director: BL